

JC10 Rec'd PCT/PTO 19 FEB 2002

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE FORM PTO-1390 (REV. 10-2000)		ATTORNEY'S DOCKET NUMBER B0662/7036
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/D/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/049935</b>
INTERNATIONAL APPLICATION NO. PCT/US00/22086	INTERNATIONAL FILING DATE 11 August 2000 (11.08.00)	PRIORITY DATE CLAIMED 17 August 1999 (17.08.99)
TITLE OF INVENTION METHODS AND COMPOSITION FOR RESTORING ANTIBIOTIC SUSCEPTIBILITY IN GLYCOPEPTIDE-RESISTANT ENTEROCOCCUS		
APPLICANT(S) FOR DO/EO/US INOUYE, Roger; TORRES-VIERA, Carlos; MOELLERLING, Robert; GOLD, Howard; ELIOPOULOS, George M.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371(f).</p> <p>3. <input checked="" type="checkbox"/> This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).</p> <p>4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the earliest claimed priority date (PCT Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <ol style="list-style-type: none"> <li><input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> has been transmitted by the International Bureau.</li> <li><input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> <p>6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <ol style="list-style-type: none"> <li><input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> has been transmitted by the International Bureau.</li> </ol> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <ol style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> <p>8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(C)(5)).</p>		
<b>Items 11. To 16. Below concern document(s) or information included:</b>		
<p>11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. A <b>FIRST</b> preliminary amendment.</p>		
<p>14. A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</p> <p>15. A substitute specification.</p> <p>16. A change of power of attorney and/or address letter.</p>		
<p>17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C.1.821-1.825.</p> <p>18. A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p>		
<p>20. <input checked="" type="checkbox"/> Other items or information: Copy of PCT Request Page 1 of the PCT Published Application <b>Small Entity status is claimed.</b> No claims fees will be paid at this time.</p>		
<p>Express Mail Label No. EL819462275US Date Mailed: February <u>19</u>, 2002 IFD/ERP/JRV</p>		

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21. <input checked="" type="checkbox"/> The following fees are submitted.		<b>CALCULATIONS</b> PTO USE ONLY	
<b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b>			
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO		\$1000.00	
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO		\$860.00	
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International search fee paid to USPTO (37 CFR 1.445(a)(2)) paid to USPTO		\$710.00	
International preliminary examination fee paid to USPTO (37 CFR 1.482) But all claims did not satisfy provisions of PCT Article 33(1)-(4)		\$690.00	
International preliminary examination fee paid to USPTO (37 CFR 1.482) And all claims satisfied provisions of PCT Article 33(1)-(4)		\$100.00	
<b>ENTER APPROPRIATE BASIC FEE AMOUNT = \$860.00</b>			
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 Months from the earliest claimed priority date (37 CFR 1.492(e)).		\$860.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total Claims	-20=		X \$18.00 \$
Independent Claims	-3 =		X \$80.00 \$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+\$280.00 \$	
<b>TOTAL OF ABOVE CALCULATIONS</b>		= \$430.00	
X Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.		\$	
<b>SUBTOTAL</b>		= \$430.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 Months from the earliest claimed priority date (37 CFR 1.492(f)).		\$	
<b>TOTAL NATIONAL FEE</b>		= \$430.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate coversheet (37 CFR 3.28, 3.31). \$40.00 per property +		\$	
<b>TOTAL FEES ENCLOSED</b>		= \$430.00	
		Amount to be: \$	refunded
		charged	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>430.00</u> To cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ In the amount of \$ _____ To cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input type="checkbox"/> The commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>			
<p><b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b) must be filed and granted to restore the application to pending status.</b></p>			
<p>SEND ALL CORRESPONDENCE TO:</p> <p>WOLF, GREENFIELD &amp; SACKS, P.C. 600 Atlantic Avenue Boston, Massachusetts 02210 Tel: (617) 720-3500</p> <p></p> <p><b>CUSTOMER NUMBER</b> <b>23 28</b></p>			
 <p><b>SIGNATURE</b></p> <p><b>John R. Van Amsterdam</b></p> <p>NAME</p> <p><b>40,212</b></p> <p>REGISTRATION NO.</p>			